

1 **DALE K. KLEVEN, ESQ.**
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and Dale K. Kleven, Esq.

6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 HOMEOWNER RELIEF LAWYERS, LLC.; DALE K. Case No. 2:16-cv-01830
11 KLEVEN, ESQ.,

12 Plaintiff,

13 v.

14 DENISE MCPEEK; INJURY CARE CENTER;
GROSSINGER NEUROPAIN SPECIALISTS/
15 SWARTHMORE; PREMIER ORTHOPEDIC &
SPORTS MEDICINE; SUNRISE HOSPITAL;
16 RADIOLOGY SPECIALISTS; MEDIC WEST
AMBULANCE; FREMONT EMERGENCY
17 SERVICES; PHYSICIANS REHABILITATION
ASSOCIATION; CRAIG A. ALTMAN, ESQ. OF THE
18 LAW OFFICES OF CRAIG A. ALTMAN, PC, DOES
1-5; ROE CORPORATIONS 1-5, inclusive,
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20 Defendants.
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Order Granting Motion for
Default Judgment

ECF No. 34

22 Plaintiffs' Complaint in Interpleader, having been filed on August 2, 2016. Plaintiffs'
23 Amended Complaint in Interpleader having been filed on August 31, 2016, and served on each of
24 the above captioned Defendants, other than Defendant Denise McPeek, Defendants having failed
25 to Answer the Complaint in Interpleader as well as the Amended Complaint in Interpleader;
26 Default against Defendants having been entered by the Court on November 23, 2016; said Defaults
27 having been filed and served on Defendants on November 23, 2016. Pursuant to the Complaint,
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1 Default of Defendants INJURY CARE CENTER, GROSSINGER NEUROPAIN
2 SPECIALIST/SWARTHMORE, PREMIER ORTHOPEDIC & SPORTS MEDICINE, SUNRISE
3 HOSPITAL, RADIOLOGY SPECIALISTS, MEDIC WEST AMBULANCE, FREMONT
4 EMERGENCY SERVICES, PHYSICIANS REHABILITATION ASSN., and CRAIG A.
5 ALTMAN, P.C., and for good cause appearing, the Court hereby Finds, Orders, and Adjudges as
6 follows:

7 **THE COURT HEREBY FINDS that:**

- 8 1. Jurisdiction and venue are proper in the United States District Court for the District of
9 Nevada.
- 10 2. Plaintiffs served Defendant INJURY CARE CENTER with the Summons and Complaint
11 on August 9, 2016.
- 12 3. Plaintiffs served Defendant GROSSINGER NEUROPAIN SPECIALIST/SWARTHMORE
13 with the Summons and Complaint on August 10, 2016.
- 14 4. Plaintiffs served Defendant PREMIER ORTHOPEDIC & SPORTS MEDICINE with the
15 Summons and Complaint on August 9, 2016.
- 16 5. Plaintiffs served Defendant SUNRISE HOSPITAL with the Summons and Complaint on
17 August 8, 2016.
- 18 6. Plaintiffs served Defendant RADIOLOGY SPECIALISTS with the Summons and
19 Complaint on August 5, 2016.
- 20 7. Plaintiffs served Defendant MEDIC WEST AMBULANCE with the Summons and
21 Complaint on August 5, 2016.
- 22 8. Plaintiffs served Defendant FREMONT EMERGENCY SERVICES with the Summons
23 and Complaint on August 5, 2016.
- 24 9. Plaintiffs served Defendant PHYSICIANS REHABILITATION ASS'N with the Summons
25 and Complaint on August 9, 2016.
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1 10. Plaintiffs served Defendant CRAIG A. ALTMAN, P.C., with the Summons and Complaint
2 on August 10, 2016.

3 11. On or about August 31, 2016, Plaintiffs served the Amended Complaint in Interpleader on
4 all Defendants by sending via certified mail.

5 12. On September 1, 2016, Plaintiffs filed an Acceptance of Service of the Summons,
6 Complaint, and Amended Complaint on behalf of Defendant Denise McPeek, Plaintiffs'
7 client in the previous personal injury litigation underlying this Interpleader action.

8 13. With No Answer or other responsive pleading having been filed by any Defendants,
9 Defaults were entered against all Defendants other than Denise McPeek on November 23,
10 2016.

11 14. That damages are not at issue as this is an Interpleader action.

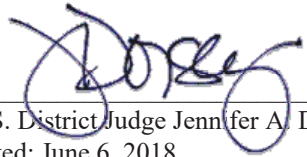
12 15. That Plaintiffs are seeking distribution of the \$20,000.00 in settlement funds between
13 Plaintiffs and Defendant Denise McPeek, Plaintiffs' client and the sole Defendant that has
14 not had default entered against her.

15 16. Plaintiff does not seek an award of attorney's fees and/or costs. Therefore,
16 with good cause appearing and no reason to delay, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED
17 that the Motion for Default Judgment [ECF No. 34] is GRANTED; Default Judgment is hereby
18 awarded to the Plaintiffs, HOMEOWNER RELIEF LAWYERS, LLC and DALE K. KLEVEN,
19 ESQ., against Defendants INJURY CARE CENTER, GROSSINGER NEUROPAIN
20 SPECIALISTS/SWARTHMORE, PREMIER ORTHOPEDIC & SPORTS MEDICINE, SUNRISE
21 HOSPITAL, RADIOLOGY SPECIALISTS, MEDIC WEST AMBULANCE, FREMONT
22 EMERGENCY SERVICES, PHYSICIANS REHABILITATION ASSOCIATION, and CRAIG A.
23 ALTMAN, P.C.. Said Defendants will receive no distribution of funds from the \$20,000.00
24 settlement that has been interpled..
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1 **IT IS FURTHER ORDERED** that no award of attorney's fees is made at this time
2 The Clerk of Court is directed to ENTER JUDGMENT accordingly and CLOSE THIS CASE.
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U.S. District Judge Jennifer A. Dorsey
Dated: June 6, 2018

Respectfully Submitted:
RELIEF LAWYERS, LLC



DALE K. KIEVEN, ESQ.
Nevada Bar No. 7778